

JOURNAL OF THE HOUSE.

Wednesday, June 26, 2013.

Met at six minutes after twelve o'clock noon, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Statement Concerning Representative Coakley-Rivera of Springfield.

A statement of Mr. Mariano of Quincy concerning Ms. Coakley-Rivera of Springfield was spread upon the records of the House, as follows:

Statement concerning Ms. Coakley-Rivera of Springfield.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Coakley-Rivera of Springfield, is unable to be present in the House Chamber for today's sitting due to conflict cause by a previously scheduled event. Her missing of roll calls today is due entirely to the reason stated.

Guests of the House.

Zachary Welsh, Nancy Hanson and Susan Hanson.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Zachary Welsh, Nancy Hanson and Susan Hanson, who were visiting from Florida. They were the guests of Mr. Donato.

Resolutions.

Juliet R. Bernstein.

Resolutions (filed with the Clerk by Ms. Peake of Provincetown) congratulating Juliet R. Bernstein on the occasion of her one hundredth birthday, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Innovation schools,—fiscal impact.

A communication from the Massachusetts Department of Elementary and Secondary Education (under section 8 of Chapter 12 of the Acts of 2010) relative to the Implementation and Fiscal Impact of Innovation Schools for the year 2012, was placed on file.

Report of Committees.

On-site drilling,—fuel tax.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of John V. Fernandes relative to sales tax exemptions for fuel used in on-site drilling operations.

Under suspension of the rules, on motion of Mr. Fernandes of Milford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill exempting the positions of police chief and fire chief in the city of Peabody from the civil service law (see House, No. 3449) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

House bills

Authorizing the town of Chelmsford to continue the employment of Fire Chief Michael Curran (House, No. 2211);

Third reading bills.

Establishing a sick leave bank for Rose Britton, an employee of the Trial Court (House, No. 3516); and

Establishing a sick leave for Patricia A. Raftery, an employee of the Massachusetts Department of Transportation (House, No. 3524);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Authorizing the town of Sunderland to continue the employment of Richard E. Dickinson as a call firefighter (House, No. 3286);

Second reading bills.

Authorizing increased fees for special details performed by public employees in the city of Melrose (House, No. 3496);

Relative to the elderly and disabled taxation aid committee in the town of Harvard (House, No. 3498); and

Relative to police detail work in the town of Harvard (House, No. 3499);

Severally were read a second time; and they were ordered to a third reading.

At twenty-nine minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock; and at twenty-five minutes before two-o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Mrs. Haddad of Somerset being in the Chair,—

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment of the House Bill relative to transportation finance (House, No. 3415) (for report, see House, No. 3535), was considered.

Transportation finance.

After debate on the question on acceptance of the report, Mr. Peterson of Grafton moved that further consideration thereof be postponed until the next day and specially assigned to the hour of one o'clock P.M.

Motion to postpone negatively,—yea and nay No. 148.

On the motion to postpone, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 31 members voted in the affirmative and 120 in the negative.

[See Yea and Nay No. 148 in Supplement.]

Therefore the motion to postpone was negative.

Conference committee report accepted,—yea and nay No. 149.

After further debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. D'Emilia of Bridgewater; and on the roll call 106 members voted in the affirmative and 47 in the negative.

[See Yea and Nay No. 149 in Supplement.]

Therefore the report of the committee of conference was accepted. Mr. Peterson of Grafton then moved that this vote be reconsidered.

Motion to reconsider negatively,—yea and nay No. 150.

On the motion to reconsider, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 38 members voted in the affirmative and 115 in the negative.

[See Yea and Nay No. 150 in Supplement.]

Therefore the motion to reconsider was negative. The report then was sent to the Senate for concurrence.

Recess.

Recess.

At twenty minutes before six o'clock P.M., on motion of Mr. O'Day of West Boylston (Mrs. Haddad of Somerset being in the Chair), the House recessed until the hour of seven o'clock; and at that time the House was called to order with Mr. Donato of Medford in the Chair.

Emergency Measure.

Transportation finance.

The engrossed Bill relative to transportation finance (see House, No. 3535), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 2 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Accordingly, without further consideration of the remaining matter in the Orders of the Day, at twenty-six minutes before eight o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.